

### **REMARKS**

The Office Action mailed July 15, 2008, has been received and its contents carefully noted. The pending claims, claims 1-10, were rejected. By this Response, claims 2, 8 and 10 have been amended and claims 1, 6-7 and 9 have been canceled. Support may be found in the specification and the claims as originally filed. Claim 8 has been amended to be in independent form incorporating the limitations of the base claim (claim 1) and any intervening claims (claim 6). Claim 2 is amended to depend on claim 8. Claim 10 also has been amended to be in independent form. No statutory new matter has been added. Therefore, reconsideration and entry of the claims, as amended, are respectfully requested.

#### **Rejection under 35 U.S.C. 102(b)**

The Examiner rejected claims 1-2 under 35 U.S.C. 102(b) as being anticipated by Kenji (JP 02-055292). Specifically, the Examiner deemed that Kenji discloses the claimed invention in Figures 1 and 3 and the corresponding text.

Applicants respectfully urge that claim 1 has been canceled and claim 2 has been amended to depend on claim 8. Since Kenji does not teach each and every limitation of claim 8, claim 2 which depends thereon, is novel.

Therefore, the rejection under 35 U.S.C. 102(b) should be withdrawn.

#### **Rejections under 35 U.S.C. 103(a)**

The Examiner rejected claims 6-7 and 9 under 35 U.S.C. 103(a) as being unpatentable over Kenji in view of Seikyu (JP 2003-174016) and McMillen (US 5,316,579) because the Examiner deemed it would have been obvious to add a controller and a temperature sensor to control the mist/refrigerant, generator/manifold and carrier gas to stop the generation of mist and carrier gas when the temperature is low.

Applicants respectfully urge that since claims 6-7 and 9 have been canceled, the rejection of claims 6-7 and 9 is moot and should be withdrawn.

The Examiner rejected claim 8 as being unpatentable over Kenji, Seikyu, McMillen and

further in view of Moore (US 20030161946) because the Examiner deemed it would have been obvious to turn off the mist generator while continuing a supply of the carrier gas when the temperature of the sensor is below a reference value, in order to avoid condensation. The Examiner also rejected claims 3-5 as being unpatentable over Kenji in view of Seikyu or Hiroyuki (JP 2001-156047).

Applicants respectfully urge that the cited art do not teach or suggest the controller according to claim 8. In particular, Kenji, Seikyu, and McMillen, alone or in combination, do not teach or suggest a controller that carries out a control operation to stop supply of mist from the mist generator, while continuing a supply of the carrier gas from the gas supply source, when the detected temperature of the temperature sensor is not more than a reference value.

The Examiner asserts that Moore discloses that the cooling mist is sufficiently evacuated from the coating area of the work-piece so as to prevent any appreciable amount of condensation of water, or other liquid, or cooling medium on the coating area, or on adjacent portions of the conduit, or on the work-piece per paragraph [0037]. Applicants, however, respectfully submit that the disclosure of Moore does not alleviate the deficiencies of Kenji, Seikyu, and McMillen. In particular, in Moore, the cooling mist continues to be supplied during the coating process. Although Moore discloses that the flow rate of the cooling mist is adjusted, Moore is silent about a control operation to completely stop the supply of the cooling mist. Thus, Moore does not teach or suggest anything about a controller that stops the supply of mist from the mist generator.

In addition, nowhere do the cited art teach or suggest a controller that carries out a control operation which continues a supply of the carrier gas even while the supply of the cooling mist is stopped. Nowhere does Moore, alone or in combination with the other cited art, teach or suggest that such a control operation contributes to stable transition of state.

Since the cited art do not teach or suggest a controller that (1) carries out a control operation to stop a supply of the mist from the mist generator, while (2) continuing a supply of the carrier gas from the gas supply source, claim 8 and the claims that depend thereon are novel and unobvious.

Therefore, Applicants respectfully urge that the claims are unobvious and the rejection under 35 U.S.C. 103(a) should be withdrawn.

The Examiner rejected claim 10 as being unpatentable over Kenji in view of Amai (US 20030034056) because the Examiner deemed it would have been obvious to add a mist trap/gas-liquid separator to recover the clean liquid. Specifically, the Examiner asserts that Amai discloses that the mist-trap (132) removes air-bubbles in the liquid drops discharged from the inner cup, in paragraph [0087].

Applicants respectfully submit that the cited references do not teach or suggest the gas-liquid separator of claim 10. In particular, Kenji and Amai, alone or in combination, do not teach or suggest a gas-liquid separator that separates mist circulated in the mist passage from the carrier gas, and collects the separated mist as a liquid.

Applicants respectfully urge that Amai discloses separating the gas, but not separating the mist. Since Kenji and Amai do not teach or suggest a gas-liquid separator that separates the mist, the claimed invention is unobvious and the rejection should be withdrawn.

Therefore, Applicants respectfully urge that the claims are unobvious and the rejection under 35 U.S.C. 103(a) should be withdrawn.

#### **Request for Interview**

Applicants respectfully request either a telephonic or an in-person interview should there be any remaining issues.

### CONCLUSION

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Therefore, it is respectfully requested that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. However, in the event that additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. 1.136(a), and any fees required therefor are hereby authorized to be charged to **Deposit Account No. 02-4300, Attorney Docket No. 033082M335.**

Respectfully submitted,  
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